

to its second reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time, and, upon motion of Councilman Wolf, seconded by Councilman Gillis, the rule was further suspended and the ordinance was passed to its third reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time, and, upon motion of Councilman Gillis, seconded by Councilman Wolf, the ordinance was finally passed, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion, seconded and carried, the meeting then recessed, subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Helen McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 27, 1938.

The meeting was called to order at 10:30 A. M. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

Mr. Tony Wagner appeared before the Council and asked that in lieu of repairs to the old fence around Oakwood Cemetery a chain link fence with posts set in concrete, which could be built for nearly the same money, be substituted. The matter was referred to the City Manager and City Engineer for attention.

A complaint against the operation of a wood yard at 34th Street and Wabash Avenue was referred to the Mayor and City Attorney for investigation.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and

construct its gas mains in and upon the following streets:

(1) A gas main in NAVASOTA STREET from Holly Street south 261 feet, the centerline of which gas main shall be 19 feet east of and parallel to the west line of said Navasota Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in ELKHART STREET northerly 64 feet from a point 124 feet south of the south line of East 3rd Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Elkhart Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in COLE STREET from East 30th Street south 174 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Cole Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in EAST THIRTIETH STREET from Cole Street easterly 121 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 30th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(5) A gas main in WESTOVER ROAD westerly 360 feet from a point 100 feet west of the west line of Forest Avenue, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Westover Road.

Said gas main described above shall have a cover of not less than 2½ feet.

(6) A gas main in BURLESON ROAD from Alta Vista Avenue easterly 230 feet, the centerline of which gas main shall be 16 feet north of and parallel to the centerline of said Burleson Road.

Said gas main described above shall have a cover of not less than 2½ feet.

(7) A gas main in PRESTON AVENUE westerly 48 feet from a point 368 feet west of the west line of Harris Boulevard, the centerline of which gas main shall be 12½ feet south of and parallel to the north line of said Preston Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(8) A gas main in OLDHAM STREET northerly 200 feet from a point 84 feet north of the north line of East 24th Street, the centerline of which gas main shall be 25 feet east of and parallel to the west line of said Oldham Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(9) A gas main in ATLANTA STREET from Dam Boulevard southerly 196 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Atlanta Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(10) A gas main in EAST TENTH STREET easterly 48 feet from a point 74 feet west of the west line of Neches Street, the centerline of which gas main shall be 19 feet north of and parallel to the south line of said East 10th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(11) A gas main in DUVAL STREET northerly 100 feet from a point 200 feet north of the north line of East 53rd Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Duval Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(12) A gas main in JARRATT AVENUE across Gaston Avenue intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Jarratt Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(13) A gas main in JARRATT AVENUE across Ethridge Avenue intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Jarratt Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(14) A gas main in ETHRIDGE AVENUE across Jarratt Avenue intersection, the centerline of which gas main shall be 8½ feet south of and parallel to the north line of said Ethridge Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of

Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 303 West 15th Street and desires a portion of the sidewalk and street space abutting Lot 9, Block 175, of the Original City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space:

Beginning at the northwest corner of Lot 9; thence in a northerly direction and at right angles to the centerline of West 15th Street to a point 3 feet south of the south curb line of West 15th Street; thence in an easterly direction and parallel to the centerline of West 15th Street a distance of 46 feet; thence in a southerly direction and at right angles to the centerline of West 15th Street to the northeast corner of Lot 9; thence in a westerly direction along the north line of said Lot 9 to the place of beginning.

2. THAT the above privileges and allotment of space are granted to said J. M. Odom, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the north line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials

and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than June 9, 1938.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller introduced the following resolution, which was read in full, and considered:

WHEREAS, the City Council on December 23, 1937, formally created the Housing Authority of the City of Austin and duly appointed E. H. Perry, Chairman, and A.J. Wirtz, Louise Haynie, W. R. Nabours, and Hubert B. Jones as members; and

WHEREAS, on the 29th day of December, 1937, the Authority met for the purpose of taking the oath of office and organizing and at that time selected A. J. Wirtz Vice Chairman, and adopted certain by-laws and the method of procedure as shown in the minutes thereof, and selected Gulton Morgan as Secretary; and

WHEREAS, on January 12, 1938, the United States Housing Authority earmarked the sum of \$450,000 for the Housing Authority of the City of Austin; and

WHEREAS, the necessary preliminary surveys and investigations have been made which indicate the need for such Housing Program in the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City of Austin hereby agrees to underwrite one-tenth (1/10) of the construction funds necessary to be subscribed locally, estimated at this time to be \$50,000, and commits the City to purchase this amount of bonds of the Housing Authority or to assure their purchase locally; and be it further resolved that the City of Austin further agrees and binds itself to make available in money, services, or a combination of both, the necessary one-fifth (1/5) of the annual subsidy necessary to operate the City Housing project on a rent basis which the low-income families designed to be benefited thereby can afford to pay; and be it further resolved by the City Council that the City Manager be and is hereby authorized and directed to make use of such City Departments and services as may be necessary or convenient towards expediting the work of the Housing Authority, and to do such other things as may from time to time come up which in his judgment are necessary and proper toward the development of this worthwhile project. The City Council further agrees to cooperate with the Housing

Authority of the City of Austin in every way possible and specifically agrees to do such items as listed below:

- Vacate streets
- Accept rededicated streets
- Maintain streets
- Provide and maintain utilities
- Provide fire and police protection
- Change zoning restrictions if necessary
- Collect garbage, trash and ashes
- Maintain recreation areas and provide supervision
- Provide adequate school facilities
- Assist in providing public transportation
- Waive building fees
- Secure approval of planning agencies
- Secure exceptions, if necessary, to building codes

After discussion of the resolution, Councilman Alford moved that said resolution be finally adopted as introduced and read. The question being put upon the final adoption of said resolution, the roll was called with the following result: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor declared such motion carried and the resolution finally adopted.

A resolution from the Housing Authority of the City of Austin, requesting that the City assist the Authority in its housing program by exercising its power to have substandard houses either demolished or repaired, was received.

Mayor Miller then introduced the following resolution:

WHEREAS, the Housing Authority of the City of Austin has heretofore submitted to the City Council a resolution setting forth the fact that the United States Housing Authority, in its rules and regulations pertaining to the construction of housing projects under the terms of the Wagner-Steagall Act of 1937, requires either the demolition or satisfactory renovation and repair of substandard houses of substantially the same living space as the living space proposed in such new low-rent housing units; and

WHEREAS, the Housing Authority of the City of Austin has requested the City Council to assist in this program, and has requested that the Council issue orders to the City Manager and city departments where emergency conditions exist to condemn unsatisfactory or unsafe houses for human occupancy; or to secure, wherever possible by cooperation of property owners, the improvement and repair of such houses and place them in a satisfactory condition for human occupancy; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby, authorized and directed, through the various city departments, and particularly the Building Inspection Division, to contact the owners of substandard houses and by proper notice secure either (1) their demolition and removal, or (2) their renovation and repair in such manner as to remove the substandard conditions existing and make them satisfactory in every respect for healthful and comfortable human habitation.

It is the sense of the Council in adopting this resolution not to condemn or forcibly require the removal of such houses, but to work in cooperation with the owners thereof to secure their satisfactory repair, as the City Council feels that such a program is necessary for the improvement of the general health and welfare of the City of Austin and that such a plan intensively carried out will result in vast improvements to the physical condition of housing in the City of Austin; will result in the improvement and betterment of the social, health, and living conditions

generally of the people occupying houses now of substandard character; and will materially assist the Housing Authority of the City of Austin in its program of complying with the regulations of the United States Housing Authority.

After discussion of the resolution, Mayor Miller moved that said resolution be finally adopted as introduced and read. The question being put upon the final adoption of the resolution, the roll was called with the following result: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor declared such motion carried and the resolution finally adopted.

Written proposals from Carl C. Johansen for the purchase of Lot 9, at the intersection of 28 $\frac{1}{2}$ Street and Shoal Creek Boulevard, for a consideration of \$1500; and Payne & Wiley, Agents for S. G. Holden, for the purchase of Lots 7 and 8, Shoal Creek Boulevard, for a consideration of \$1050 cash, were received and the same were taken under advisement.

The written request of the Avenue Barber Shop for an adjustment of taxes was received and referred to the City Manager for recommendation.

Upon motion, duly seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor.

Attest:

Harris McKellan
City Clerk.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, January 29, 1938.

The meeting was called to order by the Mayor. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. F. Alford, 1.

The following report of the Architects for the Municipal Building on bids received on Winter and Summer Air Conditioning for said Building, was submitted:

"Austin, Texas
January 28, 1938

In re: Docket No. Tex. 1854 DS
Municipal Building
Winter and Summer Air
Conditioning Contract
Austin, Texas

Mr. Guiton Morgan
City Manager, and
Honorable City Council
Austin, Texas
Dear Sirs: